

1
2
3
4
5
6 UNITED STATES DISTRICT COURT
7 EASTERN DISTRICT OF WASHINGTON
8

9 SHANNON BRUCE MORLEY

10 Plaintiff,

11 v.

12 SPOKANE COUNTY DETENTION
13 SERVICES and SPOKANE COUNTY
14 DETENTION MEDICAL DEPT.,

Defendants.

NO: 2:17-CV-0317-TOR

ORDER DISMISSING ACTION

15 By Order filed November 30, 2017, the Court directed Plaintiff, then a
16 prisoner at the Spokane County Jail, to show cause why he should be granted *in*
17 *forma pauperis* status. ECF No. 6. In the alternative, Plaintiff was directed to pay
18 the \$400.00 fee to commence this action as required by 28 U.S.C. § 1914.

19 Plaintiff has filed three or more prior actions which were dismissed as
20 frivolous, malicious or for failure to state a claim. *See Morley v. Thomas et al.*, 2:02-

1 CV-0310-CI; *Morley v. Spokane County Jail et al.*, 2:04-CV-5047-LRS; and *Morley*
2 *v. Department of Corrections et al.*, 2:04-CV-5092-LRS. Therefore, he lost the
3 privilege of filing additional suits *in forma pauperis* unless he could demonstrate
4 that he is “under imminent danger of serious physical injury.” 28 U.S.C. § 1915(g);
5 *Andrews v. Cervantes*, 493 F.3d 1047, 1053 (9th Cir. 2007). Plaintiff did not make
6 this showing.


7 Although advised of his obligation to do so, ECF No. 5, Plaintiff has not kept
8 the Court informed of his current address. Documents sent to Plaintiff have been
9 returned as undeliverable, ECF Nos. 7 and 8. The Court has attempted but has been
10 unable to locate a current address for Plaintiff, and must assume Plaintiff has chosen
11 to abandon this action.

12 Therefore, **IT IS ORDERED** this action is **DISMISSED** without prejudice
13 for failure to pay the statutory filing fee to commence this action as required by 28
14 U.S.C. § 1914.

15 **IT IS SO ORDERED.** The Clerk of Court is directed to enter this Order,
16 enter judgment, provide copies to Plaintiff at a last known address, and close the file.
17 The Court certifies any appeal of this dismissal would not be taken in good faith.

18 **DATED** January 16, 2018.




THOMAS O. RICE
Chief United States District Judge